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H – 4906

International Court of Justice

H4906 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 20/8/49

I certify that Document Number ——— was introduced into evidence as Exhibit Number RF - 1417 in the Trial by the International Tribunal of Hermann GOERING, et al., which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

FRED NIEBERGALL
Chief, Document Control Branch

DCB-36 (102447)

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C E R T I F I C A T E

I hereby certify that the annexed document — No. RF - 1417 is a photostat of an original document submitted in evidence by the ~~United States~~ French Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

Nuremberg 20/8/41

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Le document 498 P.S. a été déposé le 2 Janvier 1946

par le Ministère Public américain sous le

nº U.S.A 501

TRIBUNAL MILITAIRE INTERNATIONAL des GRANDS CRIMINELS de GUERRE - MINISTÈRE PUBLIC DÉLÉGATION FRANÇAISE

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H4906 – 0005

TRIBUNAL MILITAIRE INTERNATIONAL
DES GRANDS CRIMINELS DE GUERRE

Délégation Française au
Ministère Public
Réquisitoire Individuel

DOCUMENT : N° R.F. I.4I7

Document 498 PS.

ORDRE D'HITLER du I8 Octobre
I942
(traitement des Kommandos)

Document déposé par le Ministère Public Américain
le 2 Janvier I946 sous le numéro :

U.S. 50I

H4906 – 0006

TRIBUNAL MILITAIRE INTERNATIONAL
DES GRANDS CRIMINELS DE GUERRE

Délégation française au
Ministère Public

Document nº : RF 1417

Document 498-PS

Ordre d'HITLER du
18 octobre 1942

INTERNATIONAL MILITARY TRIBUNAL
NUREMBERG, GERMANY
RF Exhibit 1417
Filed 12/2/46

Document 498-PS

Document Secret

D e r F u h r e r

No; 003830/42 g. Kdos. OKW/WFST. Quartier Général du Fuhrer, le 18.10.1942

12 exemplaires
12ème exemplaire

1.) Depuis déjà assez longtemps nos adversaires utilisent dans la conduite de la guerre des méthodes qui sont contraires aux conventions internationales de Genève. Les troupes des soit-disants kommandos qui elles-mêmes, ainsi que cela a été prouvé, sont recrutées en partie parmi les criminels libérés dans les pays ennemis, se conduisent d'une façon particulièrement brutale et basse. Il ressort d'ordres qui ont été saisis sur l'ennemi, qu'ils sont chargés non seulement d'enchainer les prisonniers, mais encore de tuer purement et simplement des prisonniers sans défense, à l'instant où ils peuvent croire que ces prisonniers représentent un obstacle pour la poursuite de leur but ou qu'ils peuvent être une gêne. Finalement on a trouvé des ordres dans lesquels l'assassinat des prisonniers est formellement éxigé.

2.) Se basant sur cela, un supplément au communiqué de l'Armée du 7.10.1942 a déjà annoncé qu'à l'avenir l'Allemagne agira de la même manière à l'égard de ces troupes de sabotage des Britanniques et de leurs complices; c'est-à-dire qu'elles seront sans considération abattues en combat par les troupes allemandes, quelques soit le lieu où elles se présentent.

3.) En conséquence j'ordonne :

Dès maintenant, tous les adversaires placés en face de troupes allemandes en Europe ou en Afrique au cours des soit-disant entreprises de kommandos, même s'il s'agit extérieurement de soldats en uniforme ou de troupes de destructeurs avec ou sans armes, doivent être abattus jusqu'au dernier homme au combat ou en fuite. Pour cela, il est absolument indifférent qu'ils aient été déposés à terre pour leur action, par bateau ou par avion, ou qu'ils aient été parachutés. Même si ces personnes, lorsqu'elles sont trouvées, faisaient apparemment geste de se rendre comme prisonniers, on doit formellement leur refuser toute grâce. Dans chaque cas particulier, un rapport détaillé fait être adressé à l'O.KW.; publication en sera faite dans le communiqué de l'Armée.

4.) Si certains membres de semblables kommandos, en tant qu'agents, saboteurs, etc... tombent par une autre voie par ex. par la police dans les régions occupées par nous dans les mains de l'Armée, ils doivent être immédiatement conduits au SD.

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Toute mise sous protection militaire, par ex. dans les camps de prisonniers etc.. est strictement défendue, même provisoirement.

5.) Cet ordre ne se rapporte pas au traitement des soldats ennemis qui sont faits prisonniers ou se rendent en combat ouvert au cours d'actions normales (attaques générales, opérations gégérales de débarquement, grandes entreprises de parachutage) Cet ordre ne doit pas être appliqué non plus à l'égard des soldats ennemis tombés entre nos mains après des combats en mer, ou essayant de sauver leur vie en sautant en parachute au cours de combats aériens.

6.) Je rendrai responsable devant le Conseil de Guerre, pour la non-éxécution de cet ordre, tous les chefs d'unités et officiers qui auront soit négligé leur devoir en instruisant la troupe de cet ordre, ou auront agit contre cet ordre dans son éxécution.

Destinataires :

O.K.H. / Genst.d.H	1er exemplaire
O.K.M. / Skl.	2ème "
Ob.d.L./ Lw.Fu.St.	3ème "
W.B. Norwegen	4ème "
W.B. Südost	5ème "
Ob. West	6ème "
Geb.A.O.K. 20	7ème "
Ob. Süd	8ème "
Pz.Armee Afrika	9ème "
Rf.SS.u. Chef d.Dtsch. Polizei	10ème "
OKW/WFST.	11ème et 12ème

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1417

OFFICE OF U.S. CHIEF OF COUNSEL
FOR PROSECUTION OF AXIS CRIMINALITY

No. 498-PS 12 September 1945

Source of Original OKW File Flensburg

STAFF EVIDENCE ANALYSIS

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Fuhrer Order, classified Top Secret, re shooting of all members of Commandos including PWs

Date: 18 Oct. 1942; Original (x) Copy ( ); Language German

Translated by

LOCATION OF ORIGINAL (also WITNESS if applicable) as of 12 Sept.

O.C.C. Files Nuremberg

PERSONS OR ORGANIZATIONS IMPLICATED: Hitler, OKW, Police, SD

REFERENCES TO INDEX HEADINGS

1. ATROCITIES; Against Military Personnel.
2. WEHRMACHT; OKW
3. GENEVA CONVENTION, breach of

LEADS:

SUMMARY OR RELEVANT POINTS (with page references)

1. Our opponents, especially the Commandos, used methods in violation of the Geneva Convention. Captured orders show that in many cases they are instructed to kill all PWs.
2. In an appendix to the Wehrmacht report of 7 Oct. 1942 it has been announced that they are to be killed ruthlessly by the German units.
3. Therefore I order: all members of Commandos have to be kille either in battle, or while fleeing or when they attempt to surrender. Each individual cas is to be reported to the OKW.
4. Any member of Commandos apprehended by other than Wehrmacht forces as agents, saboteurs, etc. are to be handed over to the SD at omce. It is strictly forbidden to put them in military custody.
5. This order applies exclusively to members of Commandos.
6. Commaners and officers who fail to execute this order or do not instruct their men accordingly will be put before a court martial.

LANDMANN

1417

TRANSLATION OF DOCUMENT NO. 498-PS
OFFICE CHIEF OF COUNSEL FOR WAR CRIMES

DRAFT (page 1 of original)

The Fuehrer
No. 003830/42 g. Kdos OKW/WFSt

Fuehrer Hq, 18 Oct 1942

23 Copies
23rd Copy

TOP SECRET

1.) For some time our enemies have been using in their warfare methods which are outside the international Geneva Conventions. Especially brutal and treacherous is the behavior of the so-called commandos, who, as is established, are partially recruited even from freed criminals in enemy countries. From captured orders it is divulged, that they are directed not only to shackle prisoners, but also to kill defenseless prisoners on the spot at the moment in which they believe that the latter as prisoners represent a burden in the further pursuit of their purposes or could otherwise be a hindrance. Finally, orders have been found in which the killing of prisoners has been demanded in principle.

2.) For this reason it was already announced in an addendum to the Armed Forces report of 7 October 1942, that in the future, Germany, in the face of these sabotage troops of the British and their accomplices, will resort to the same procedure, i.e., that they will be ruthlessly mowed down by the German troops in combat, wherever they may appear.

3.) I therfore order:

From now on all enemies on so-called Commando Missions in Europe or Africa challenged by German troops, even if they are to all appearances soldiers in uniform or demolition troops,

(page 2 of original)

whether armed or unarmed, in battle or in flight, are to be slaughtered to the last man. It does not make any difference whether they are landed from ships and aeroplanes for their actions, or whether they are dropped by parachute. Even if these individuals, when found, should apparently be prepared to give themselves up, no pardon is to be granted them on principle. In each individual case full information is to be sent to the OKW for publication in the Report of the Military Forces.

4.) If individual members of such Commandos, such as agents, saboteurs, etc. fall into the hands of the military forces by some other means, through the police in occupied territories for instance, they are to handed over immediately to the SD. Any imprisonment under military guard, in PW Stockades for instance, etc., is strictly prohibited, even if this is only intended for a short time.

5.) This order does not apply to the treatment of any enemy soldiers who, in the course of normal hostilities (large-scale offensive actions, landing operations and airborne operations), are captured in open battle or give themselves up. Nor does this order apply to enemy soldiers falling into our hands after battles at sea, or enemy soldiers trying to save their lives by parachute after battles.

6.) I will hold responsible under Military Law, for failing to carry out this order, all commanders and officers who either have neglected their duty of instructing the troops about this order,

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TRANSLATION OF DOCUMENT NO. 498-PS
(Continued)

(page 2 of original, cont'd)

or acted against this order where it was to executed.

(signed) ADOLF HITLER

Certified true copy
Kimm
Major

(Page 3 of original)

Gen.St.d.H. and Ob.d.L./Lw. Fue.Stb received afterwards on 20 October 1942 the original decree (signed by the Fuehrer. (copies 1 and 3)

Distribution:

Gen.St.d.H.	1 Copy
Chief of Army Armament and Commander of replacement Army	2 "
OKW/WFSt	3 "
Ob.d.L./Lw.Fue.St.	4 "
Commander of Armed Forces Norway	5 "
Commander of Armed Forces Netherlands	6 "
Commander of Armed Forces S.E.	7 "
Commander of Armed Forces Ostland	8 "
Commander of Armed Forces Ukraine	9 "
Ob. West	10 "
(Mountain) AOK 20	11 "
Commander of German troops in Denmark	12 "
Ob. South	13 "
Panzer Army Africa	14 "
German General at the Headquarters of the Italian A.F.	15 "
Reichsfuehrer SS and Chief of German Police, and also Main Office of the Security Police	16-17 "
OKW/AWA	18 "
A/Ausl/Abw.	19 "
WR/	20 "
W Pr	21 "
WFSt/Op (H)) War (M)) Diary (L))	22 "
Org)	
Qu (Also draft)	23 "

(W HANDWRITING) FROM 19/12/42 (INITIAL)

Note to the distributor:
This order is not to be distributed beyond the battalions and equivalent staffs of the other branches of the Armed Forces. After taking cognizance, copies distributed beyond the regiments and the equivalent staffs of the other branches of the Armed Forces are to be collected and destroyed.

W (initial Warlimont)

(In handwriting) On 25th February 43 (M 916) Copy sent to Obd.L.
(LP) on 5/12/43 copy to Qu (Werw.2)
On 5/4/44 copy to GenStdH, Legal Dept.
1 Copy to W P on 2/6

(page 4 of original)

(handwritten)
NOTE: Upon telephone request from Adjutant of the Reichsfuehrer SS (Miss Wenske, Berghof 370) and after conference with Chief Qu distribution of 8 copies to subordinated offices approved

(page 4 of original, cont'd)

according to request, and with instruction that these offices have to collect and destroy all copies which have been distributed further down, if any.

17/11 · Ki (initial Kipp)

CERTIFICATE OF TRANSLATION

10 Feb. 1948

I, Louis A. Bornemisza, Civ. No. 20058, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of document No. 498-PS.

Louis A. Bornemisza
Civ., No. 20058

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TRIBUNAL MILITAIRE INTERNATIONAL DE NUREMBERG - TRIBUNAL DE GUERRE
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DOC. R.F. N° 1417

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DOC. R.F. N° 1417

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